

**MINUTE**  
**of**  
**LICENSING COMMITTEE**

**Minute of Meeting held at 1.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock on 20 March 2014.**

**Present:**

Councillor Tommy Reilly (Chair)  
Councillor Betty Cunningham

Councillor Charlie Gilbert

Councillor Reilly in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; and Jennifer Graham, Committee Services Officer.

**Also Attending:**

Chief Inspector Campbell Crawford and Constable Ewan Bailey, Police Scotland.

**Apologies:**

Councillors Kenny Hay (Vice Chair) and Stewart Miller.

**DECLARATIONS OF INTEREST**

**962.** There were no declarations of interest intimated.

**Resolution to Exclude Press and Public**

At this point in the meeting, on the motion of the Chair, the committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the following items on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

**APPLICATION FOR PRIVATE HIRE CAR DRIVER'S LICENCE**

**963.** The committee considered a report by the Chief Solicitor regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 3 refers). The applicant was present. Chief Inspector Crawford and Constable Bailey, representing the Chief Constable who had made an objection in respect of the application, were also present.

The report explained that in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003, applicants for Taxi and Private Hire Car Driver's Licences were required to disclose all previous convictions, both "spent" and "live". Details of the applicant's convictions were listed.

The report further explained that in determining the application it would be for the committee to decide what weight it wished to attach to the applicant's previous convictions, taking into account the period of time since the commission of the offences, their relevance to the type of licence being applied for, and also the objection by the Chief Constable.

Chief Inspector Crawford was heard in respect of the objection submitted by the Chief Constable and in response to questions from Members.

The applicant was heard in respect of the application and in response to questions from Members, following which the committee agreed to a brief adjournment to discuss the matter.

On reconvening, the committee, having taken account of the submission made by the applicant, his previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the objection made by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not considered to be a fit and proper person by virtue of his previous convictions.

#### **APPLICATION FOR PRIVATE HIRE CAR DRIVER'S LICENCE**

**964.** The committee considered a report by the Chief Solicitor regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 4 refers). The applicant was present. Chief Inspector Crawford and Constable Bailley, representing the Chief Constable who had made a representation in respect of the application, were also present.

The report explained that in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003, applicants for Taxi and Private Hire Car Driver's Licences were required to disclose all previous convictions, both "spent" and "live". Details of the applicant's convictions were listed.

The report further explained that in determining the application it would be for the committee to decide what weight it wished to attach to the applicant's previous convictions, taking into account the period of time since the commission of the offences, their relevance to the type of licence being applied for, and also the representation by the Chief Constable.

Chief Inspector Crawford was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

The applicant was heard in respect of the application and in response to questions from Members, following which the committee, having taken account of the submission made by the applicant, his previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation made by the Chief Constable, agreed that the licence be granted for a period of one year subject to standard conditions.

## **APPLICATION FOR PRIVATE HIRE CAR DRIVER'S LICENCE**

**965.** The committee considered a report by the Chief Solicitor regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 5 refers). The applicant was present. Chief Inspector Crawford and Constable Bailey, representing the Chief Constable who had made a representation in respect of the application, were also present.

The report explained that in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003, applicants for Taxi and Private Hire Car Driver's Licences were required to disclose all previous convictions, both "spent" and "live". Details of the applicant's convictions were listed.

The report further explained that in determining the application it would be for the committee to decide what weight it wished to attach to the applicant's previous convictions, taking into account the period of time since the commission of the offences, their relevance to the type of licence being applied for, and also the representation by the Chief Constable.

Chief Inspector Crawford was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

The applicant was heard in respect of the application and in response to questions from Members, following which the committee agreed to a brief adjournment to discuss the matter.

On reconvening, the committee, having taken account of the submission made by the applicant, his previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation made by the Chief Constable, agreed that the licence be granted for a period of one year subject to standard conditions.

## **PRIVATE LANDLORD REGISTRATION**

**966.** The committee noted that the matters leading to the submission of the report had been resolved to the satisfaction of officers in view of which the report had now been withdrawn.

CHAIR

